

ORDINANCE NO. 181832

An Ordinance authorizing and providing for the sale of certain City-owned real property which is no longer required for use by the City, and the public interest or necessity requires the transfer thereof, without the necessity of calling for bids, to LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY, or its nominees or lawful successors in interest thereof, for the sum of THREE MILLION, ONE HUNDRED SEVENTY TWO THOUSAND, NINE HUNDRED FIFTEEN DOLLARS (\$3,172,915.00).

THE PEOPLE OF THE CITY OF LOS ANGELES DO
ORDAIN AS FOLLOWS:

Section 1. The Council of the City of Los Angeles hereby determines that certain real property owned by the City of Los Angeles, and located at the address and/or location set forth hereinafter, is no longer required for the use of the City and that the public interest and necessity require the transfer. The Los Angeles County Metropolitan Transportation Authority requires this property to construct and operate a parking facility to serve passengers of the rail line running adjacent to the property. It is hereby ordered that such real property be sold, pursuant to certain conditions hereinafter set forth and without notice of sale or advertisement for bids, to LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY, or its nominees or lawful successors in interest thereof, for the sum of THREE MILLION, ONE HUNDRED SEVENTY TWO THOUSAND, NINE HUNDRED FIFTEEN DOLLARS (\$3,172,915.00) in accordance with the provisions of Section 385 of the City Charter and Division 7, Chapter 1, Article 4 of the Los Angeles Administrative Code. The purchase price for the Property is THREE MILLION, TWO HUNDRED SIXTY FIVE THOUSAND DOLLARS (\$3,265,000.00) and shall be adjusted by reducing for the Construction Offset Costs (\$3,265,000 - \$499,168 = \$2,765,832) and increasing for the Air Treatment Facility Redesign Costs (\$2,765,832 + \$407,083 = \$3,172,915). The purchaser, LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY, shall purchase only the westerly approximate 30,992 square feet of the Property, as more specifically described in the legal description attached as Exhibit A.

Location:

3410 South La Cienega Boulevard, Los Angeles CA 90016

Legal Description:

Refer to Exhibit A attached hereto and by this reference incorporated herein.

EXCEPTING AND RESERVING unto the City of Los Angeles all oil, gas, water, and mineral rights now vested in the City of Los Angeles without, however, the right to use the surface of said land or any portion thereof to a depth of 500 feet below the surface, for the extraction of such oil, gas, water and minerals.

EXCEPTING that portion of the Property that the City of Los Angeles is to retain as more specifically described in the legal description attached as Exhibit B.

RESERVING unto the City of Los Angeles the three (3) easements as described in the legal description attached as Exhibit A, Easement No. 1, Easement No. 2, and Easement No. 3.

SUBJECT TO the covenant that all lots included in this sale transaction which legal description is described in the Legal Description Exhibit A shall be held together as one parcel and the said combined parcel shall not be divided in ownership except pursuant to a subdivision map or parcel map approved in accordance with the laws of the State of California and the City of Los Angeles.

SUBJECT TO all ordinances, covenants, conditions, restrictions, reservations, easements, encroachments, rights, and rights-of-way of record or which are apparent from a visual inspection of the real properties and excepting and reserving to the City of Los Angeles any interest in the fee to the adjacent streets which would otherwise pass with the conveyance of the above described parcels of land.

ALSO SUBJECT to sale "As Is" condition, and purchaser purchasing the City owned property, by such act, expressly agreeing to purchase the property in an "As Is" condition and without any warranty as to fitness for use, fitness for a particular use, or condition of the property, and that the City has no obligation to correct any condition of the property, whether known before or after the date of the sale.

As part of the sale, the LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY will deed to the City of Los Angeles an Ingress/Egress easement as described in the legal description attached as Exhibit C.

Section 2. The Mayor of the City of Los Angeles in the name of and on behalf of said City is hereby authorized and directed to execute a Grant Deed to the said real property described in Section 1 of this Ordinance to LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY, or its nominees or lawful successors in interest thereof; the City Clerk of said City is hereby authorized and directed to attest thereto and to affix the City Seal.

Section 3. The Department of General Services, Asset Management Division, is authorized to open escrow, deliver deeds, and process all necessary documents to effectuate this sale, and the Chief Accounting Employee of the Department of General Services is authorized to deposit the proceeds, over and above the expenses of sale, into the Sewer Construction and Maintenance Fund No. 208, Revenue Source Code No. 4540. The purchaser, LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY, shall pay all escrow and incidental costs associated with this property purchase transaction including, but not limited to, recording fees, documentary transfer taxes, title insurance fees, escrow fees, personal property taxes where applicable, lot line adjustment fees, and any other real estate transaction taxes. Purchaser, at his own expense, may obtain any desired survey of the property.

Section 4. The purchaser, LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY ("LACMTA"), together with EXPOSITION METRO CONSTRUCTION AUTHORITY ("EXPO AUTHORITY") and FCI FLUOR PARSONS ("FFP"), have entered into a

Revocable Right of Entry dated September 3, 2009 pursuant to which the City, under specified terms and conditions, allows purchaser, EXPO, and FCI use of the Land for work associated with the construction of a 5-story parking garage structure for the Exposition Rail Line.

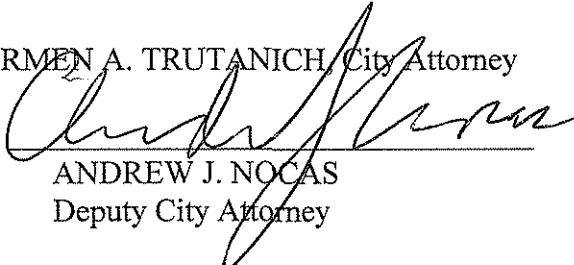
Section 5. The City Clerk shall certify to the passage of this Ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing Ordinance was passed by the Council of the City of Los Angeles, by a **vote of not less than two-thirds** of all its members, at its meeting of JUL 26 2011.

APPROVED AS TO FORM AND LEGALITY:

CARMEN A. TRUTANICH, City Attorney

By


ANDREW J. NOCAS
Deputy City Attorney

Dated March 3, 2011

File No 09-1036

JUNE LAGMAY, City Clerk

Name:

Deputy


ANTONIO VILLARAIGOSA, Mayor

AUG 03 2011

DECLARATION OF POSTING ORDINANCE

I, MARIA VIZCARRA, state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 181832 – Sale of certain City-owned real property which is no longer required for use by the City located at 3410 South La Cienega Boulevard, without the necessity of calling for bids, to the Los Angeles County Metropolitan Transportation Authority for the sum of \$3,172,915.00 - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on July 26, 2011, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, on August 5, 2011 I posted a true copy of said ordinance at each of the three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Copies of said ordinance were posted conspicuously beginning on August 5, 2011 and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 5th day of August 2011 at Los Angeles, California.



Maria Vizcarra, Deputy City Clerk

Ordinance Effective Date: September 14, 2011

Council File No. 09-1036